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## FENWICK &amp; WEST LLP

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## FACSIMILE TRANSMISSION

CONFIDENTIAL

DATE: May 24, 2006

CLIENT-MATTER NUMBER: 20412-06488

To:

NAME:	FAX NO.:	PHONE NO.:
United States Patent and Trademark Office	1-571-273-8300	

3 3 42

FROM: Edward B. Weller *Ed B. Weller* PHONE: (650) 335-7642

RE: U. S. Patent Application Number 10/043,443

NUMBER OF PAGES WITH COVER PAGE: 27	ORIGINALS WILL NOT FOLLOW
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## MESSAGE:

Transmittal via Fax on May 24, 2006

Attorney Docket No. 20412-06488

U. S. Patent Application No. 10/043,443

Filing Date: January 9, 2002

Title: SYSTEM AND METHOD FOR AUDIO CREATION AND EDITING IN A MULTIMEDIA  
MESSAGING ENVIRONMENT

Enclosed are: Transmittal, Fee Transmittal, Amendment/Response

CERTIFICATE OF FACSIMILE TRANSMISSION			
I hereby certify that this correspondence, including the enclosures identified above, is being transmitted on the date shown below via facsimile to: Commissioner for Patents at the facsimile number indicated below.			
Signature:	<i>Ed B. Weller</i>	Dated:	May 24, 2006
Typed or Printed Name:	Edward B. Weller, Reg. No. 37,468		
Facsimile Number:	1-571-273-8300		

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20412/06488/DOCS/1626214.1

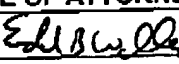
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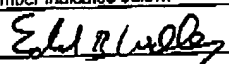
MAY 24 2006

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<b>TRANSMITTAL FORM</b> (to be used for all correspondence during pendency of filed application)	Application Number	10/043,443	
	Filing Date	January 9, 2002	
	First Named Inventor	John W. Barrus	
	Group Art Unit Number	2174	
	Examiner Name	Ryan F. Pitaro	
Total Number of Pages in This Submission	26	Attorney Docket Number	20412-06488

ENCLOSURES (check all that apply)	
<input checked="" type="checkbox"/> Fee Transmittal Form (in duplicate) <input type="checkbox"/> Check Enclosed	<input type="checkbox"/> Issue Fee Transmittal
<input type="checkbox"/> Return Receipt Postcard	<input type="checkbox"/> Letter to Chief Draftsperson
<input type="checkbox"/> Response to Notice to File Missing Parts	<input type="checkbox"/> Formal Drawing(s): [ ] Sheet(s) of Figure(s) [ ]
<input type="checkbox"/> Assignment & Recordation Cover Sheet	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Declarations	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Power of Attorney	<input type="checkbox"/> Certified Copy of Priority Document(s)
<input type="checkbox"/> Application Data Sheet	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Information Disclosure Statement & PTO/SB/08A <input type="checkbox"/> Copies of IDS Cited References	<input type="checkbox"/>
<input type="checkbox"/> Request for Corrected Filing Receipt	<input type="checkbox"/>
<input type="checkbox"/> Request for Correction of Recorded Assignment	<input type="checkbox"/>
<input checked="" type="checkbox"/> Amendment/Response: [23] Page(s) <input type="checkbox"/> After Final	<input type="checkbox"/>
<input type="checkbox"/> Status Request	<input type="checkbox"/>
<input type="checkbox"/> Revocation and Substitute Power of Attorney	<input type="checkbox"/>
REMARKS:	

SIGNATURE OF ATTORNEY OR AGENT	
Signature:	
Attorney/Reg. No.:	Edward B. Weller, Reg. No. 37,468
Dated:	May 24, 2006

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Dated:	May 24, 2006
Facsimile Number:	1-571-273-8300

20412/06488/DOCS/1626199.1

MAY 24 2006

**FEE TRANSMITTAL  
for FY 2006**

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27**TOTAL AMOUNT OF PAYMENT (\$)** 0**Complete if Known**

Application Number	10/043,443
Filing Date	January 9, 2002
First Named Inventor	John W. Barrus
Examiner Name	Ryan F. Pitaro
Art Unit	2174
Attorney Docket No.	20412-06488

**METHOD OF PAYMENT (check all that apply)**
☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☒ None  
☐ Deposit Account
Deposit Account Number **19-2555**Deposit Account Name **Fenwick & West LLP**

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge all required fee(s) or any underpayment of fee(s) due under 37 CFR §1.16 or §1.17 during the pendency of this application

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath or declaration	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1000	2403	500	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	500	2452	250	Petition to revive - unavoidable	
1453	1,500	2453	750	Petition to revive - unintentional	
1501	1,400	2501	700	Utility issue fee (or reissue)	
1502	800	2502	400	Design issue fee	
1503	1100	2503	550	Plant issue fee	
1460	—	1460	—	Petitions to the Director	
1807	50	1807	50	Processing fee for Provisional Applications	
1808	180	1808	180	Submission of Information Disclosure Sum	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	780	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

SUBTOTAL (1) (\$)

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

Total Claims		Extra Claims		Fee from below		Fee Paid
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	
65	65	0	0	50	0	0
10	10	0	0	200	0	0
Multiple Dependent						
Large Entity	Small Entity	Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
1202	50	2202	25			Claims in excess of 20
1201	200	2201	100			Independent claims in excess of 3
1203	360	2203	180			Multiple dependent claim, if not paid
1204	200	2204	100			**Reissue independent claims over original patent
1205	50	2205	25			**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath or declaration	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
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1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
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1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

SUBTOTAL (3) (\$)

\*Reduced by Basic Filing Fee Paid

**SUBMITTED BY**Name (Print/Type) **Edward B. Weller**Registration No.  
(Attorney/Agent)

37,468

**Complete (if applicable)**

Telephone (650) 335-7642

Signature

*Ed B. Weller*

Date

May 24, 2006

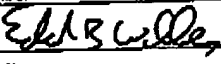


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PATENT

IN THE UNITED STATES **MAY 24 2006**  
PATENT AND TRADEMARK OFFICE

APPLICANTS: John W. Barrus, Kim McCall, Audrey Tsang, Gregory J. Wolff  
APPLICATION NO.: 10/043,443  
FILING DATE: January 9, 2002  
TITLE: SYSTEM AND METHOD FOR AUDIO CREATION AND  
EDITING IN A MULTIMEDIA MESSAGING ENVIRONMENT  
EXAMINER: Ryan F. Pitaro  
GROUP ART UNIT: 2174  
ATTY. DKT. NO.: 20412-06488

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Signature:			
Typed or Printed Name:	Edward B. Weller	Dated:	May 24, 2006
Facsimile Number:	1-571-273-8300		

MAIL STOP AMENDMENT  
COMMISSIONER FOR PATENTS  
P.O. BOX 1450  
ALEXANDRIA, VA 22313-1450

## AMENDMENT C

SIR:

Responsive to the Official Action dated February 24, 2006 please amend the above-referenced application as set forth below.